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BEFORE THE
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Good morning Mr. Chairman, Representative Lipinski, and Members of the Subcommittee. It is my pleasure to be here today to speak with you about the Department's ongoing and planned efforts to enhance the security of public transportation systems. I would like to acknowledge that it is the Department of Homeland Security's (DHS) first time appearing before you and it is our pleasure to be here to address your concerns about transit security.

The security of the 6,000 public transportation agencies that operate in the United States and the 14 million passengers who ride public transportation to work each day has been of critical importance to the Department. Months preceding the tragic bombings in Madrid on March 11 and Moscow on February 6, the Department, in close cooperation and coordination with our partners at the Department of Transportation (DOT), State and local governments, and transit and rail operators, had taken a number of steps to identify and respond to vulnerabilities in the rail and transit systems. The Madrid and Moscow tragedies were terrible reminders of the threat of terrorism to public transportation systems worldwide and strengthened our resolve to improve our security posture against similar attacks.

Ensuring that our Nation's transportation systems are secure must be accomplished through effective partnering among appropriate Federal, State, local, and private industry entities. DHS is charged with responsibility for working to protect all modes of transportation, but it has consistently held that that this responsibility must be shared with Federal, State, local and private industry partners, many of whom were already in the business of providing security for their particular piece of the transportation puzzle.

This is especially true for public transit systems. It is important to acknowledge the unique public-private nature of the public transit systems. In the United States approximately 85 percent of critical infrastructure supporting surface transportation belongs to the private sector. Therefore, upgrading security is a shared responsibility among the Federal Government, States, localities, and the private sector. The Transportation Security Administration's (TSA) main charge, both under the Aviation and Transportation Security Act (ATSA) and now as part of the DHS family, is to help coordinate these efforts under the guidance of the Secretary of Homeland Security and

the Under Secretary for Border and Transportation Security, identify gaps, and work with appropriate partners to ensure that any security gaps are filled.

The mass transit and rail industry, and State and local governments, are to be commended for their proactive response and significant commitments in addressing homeland security issues, both pre and post-9/11, and following the Moscow and Madrid bombing incidents. The responsible government approach is to leverage these industry efforts as we develop baseline standards and refine our mass transit security strategy.

As we examine the most effective ways to protect the transit security system, we must also consider how the measures we implement in the transit system are consistent with those in other transportation infrastructure, such as rail stations, bus stations, airports, and seaports. Without consistent application of reasonable and prudent security measures across modes, we risk creating weak links that may drive terrorism from one mode to another. Accordingly, our transportation security strategy is grounded in intermodal activities categorized around prevention, protection, response and recovery.

DHS, in conjunction with DOT, continually assesses the threats, risks, vulnerabilities, and consequences of potential attacks on mass transit and other transportation systems using a threat-based, risk-management approach. Effective, strategic, threat-based planning results from the evaluation of available intelligence information and the assessment of criticality and vulnerability information. These allow us to form a picture of the overall risk environment and devise effective strategies to mitigate any identified vulnerabilities. TSA has the responsibility for coordinating these efforts in the transportation sector with other DHS components under the guidance of the Under Secretary for Border and Transportation Security and DOT.

Domain awareness is the essential starting point of our overall transportation security strategy. The Information Analysis and Infrastructure Protection Directorate (IAIP) of DHS, as a member of the intelligence community (IC), routinely receives information from intelligence and law enforcement partners, and has overall responsibility at DHS for the receipt and analysis of information related to threats to the homeland. TSA also receives intelligence information for the transportation sector from sources including the IC, law enforcement agencies, industry, and State and local governments.

The effective communication of intelligence information is integral to strong domain awareness. Accordingly, in 2003 TSA activated the Transportation Security Operations Center (TSOC) to serve as a single point of contact for the communication of information relating to security operations, incidents, or crises in aviation and all surface modes of transportation. The National Capital Region Command Center is co-located with the TSOC and provides seamless integration in protecting the National Capital Region. TSA's 24-hour watch routinely communicates with industry representatives about security events or information of potential security interest. TSA also connects electronically to intelligence community databases, and participates in daily intelligence teleconferences with other Federal agencies to discuss threat and incident reports.

To ensure that all information pertinent to transportation security is identified and provided to TSA on a timely basis, TSA has assigned liaison officers to major intelligence and law enforcement agencies.

All threat information received by TSA is carefully analyzed for its potential impact on any U.S. transportation asset at home or overseas. TSA consults with other security and technical experts within DHS and in other agencies to achieve a comprehensive threat and vulnerability assessment. If we conclude that warnings to industry and field operators or operational adjustments are warranted, our response can take a variety of forms. Top government decision makers are alerted immediately, as well as industry stakeholders. Additionally, TSA coordinates with IAIP to disseminate specific warnings, advisory information, or countermeasures, where appropriate, to local law enforcement and the transportation industry.

The Department, working with DOT's Federal Transit Administration (FTA), Federal Railroad Administration (FRA), and Office of Intelligence and Security, coordinates information and threat sharing for rail and transit through the DOT Surface Transportation Information Sharing and Analysis Center (ST-ISAC) in partnership with the Association of American Railroads (AAR) and the American Public Transportation Association. As part of the significant partnership that has developed, TSA hosts ST-ISAC representatives at the TSOC. When appropriate, DHS disseminates Information Bulletins and advisories describing specific threats and providing guidance and suggested protective measures. In addition, DHS hosts conference calls with our Federal, State, local, and industry partners to communicate current information, obtain an assessment of the level of related preparedness, and determine additional short-term measures to be taken. For example, in the immediate aftermath of the Madrid attacks, the Department released Information Bulletins and hosted national conference calls with Federal, State and local public safety communities, all State and Territorial Homeland Security Advisors, officials from 50 major urban areas, and industry stakeholders.

The next step in our threat-based, risk-managed approach is to assess the criticality of the Nation's transportation infrastructure assets. Leveraging processes developed by IAIP, TSA developed and is deploying a model to determine relative criticality scores for transportation related facilities and assets. Criticality assessments provide a systematic approach to determine the relative importance of an asset to the Nation's transportation system, public safety, and economic health. These assessments will provide a quantitative basis for the determination of where to allocate resources and how to manage operational requirements.

TSA and our partners at DHS have worked with FTA and FRA to analyze vulnerability assessments conducted in the wake of September 11 on the 37 major U.S. transit systems. Additional vulnerability assessments will be conducted on critical transportation assets to examine the overall security posture of a transportation asset as well as the security posture of the asset in response to identified threat scenarios to determine their susceptibility to attack or compromise. Information from the assessment is used to determine what mitigation strategies are necessary to reduce the susceptibility to attack or

compromise. Input information for the assessments is collected from agencies through formal, facilitated meetings as well as staff contacts. Information from industry is either requested directly from industry associations or corporate representatives and voluntarily provided, or is collected from industry websites.

With respect specifically to the rail and transit systems, DHS, in close coordination with our partners in DOT, State and local governments, and transit and rail operators, has taken a number of steps to address vulnerabilities and improve our security posture against attacks. These efforts span the spectrum of security, from information sharing and awareness, planning activities for the prevention, response and recovery to a potential terrorist attack such as security exercises and training, to the issuance of baseline standards for passenger rail.

Prior to the Madrid and Moscow tragedies, security assessments of rail and transit networks operating in high-density urban areas were performed by FTA and reviewed by TSA. As a result of these assessments, these systems have produced robust security and emergency preparedness plans. Between FY 2003 and this year, DHS has used information from these assessments to allocate $117.8 million to high-risk transit systems through the Urban Area Security Initiative (UASI) grant program in the Office for Domestic Preparedness. Sixty-seven million, eight hundred thousand dollars ($67.8 million) was allocated in fiscal year 2003 and an additional $50 million was allocated in fiscal year 2004. Grantees may use these funds for security expenses such as the installation of physical barricades, video surveillance systems, motion detectors, thermal/infrared imagery and chemical/radiological material detection systems, integrated communications systems, and for prevention planning, training and exercises, among other things.

TSA has also hosted security exercises to bring together rail carriers, Federal and local first responders, and security experts to address potential gaps in antiterrorism and emergency response training among rail personnel. One such security exercise occurred at Union Station in Washington, D.C., and involved stakeholders, emergency responders and enforcement agencies working together to implement the station's Emergency Response Plan. In another security exercise, DHS partnered with the Naval War College Gaming Department to conduct an operation designed to evaluate security awareness, prevention, response and recovery of the national transportation system to a security incident. The lessons learned from these exercises are being leveraged to enhance transit and rail security for the entire Northeast corridor.

The transit and rail industries, and State and local governments, have also been very proactive in addressing homeland security issues. Most recently, transit and rail system operators enhanced their existing security plans by taking additional preventive measures in cooperation with the Department, including deploying more explosives detection canine teams, adding uniformed officer patrols, increasing surveillance, and conducting reporting and awareness campaigns in the passenger environment.

One such awareness campaign is the FTA's "Transit Watch" Program, a nationwide program developed in collaboration with transit industry partners to raise the awareness of public transportation employees and passengers. Participating transit agencies provide training for their employees so that the employees know what to do, if and when passengers bring safety and security concerns to their attention. TSA has partnered on this program and is working with FTA to identify potential synergy with transit projects. TSA is also coordinating with the Federal Railroad Administration to develop a rail system inspection guide for use by rail law enforcement and security personnel to inspect trains for explosives and other threats. The Department's Federal Law Enforcement Training Center has provided security training to rail and transit operators; and TSA has distributed security awareness educational information to transit system employees on how to recognize and respond to potential terrorist attacks. The Federal Law Enforcement Training Center also plans to accelerate current security training programs for transit law enforcement personnel. The Department also plans to leverage existing efforts to generate additional public awareness by integrating existing passenger and rail security education materials and awareness programs developed by industry, TSA, and FTA. TSA has also developed a series of security awareness tools, such as Tip Cards, Pamphlets, and Posters for Motorcoach employees. Since October 2003, TSA has distributed more than 220,000 of these products that provide security related operational guidance to Motorcoach employees.

Railroad companies, including commuter rail operators, all employ their own law enforcement personnel who have the power and duty to preserve the peace, detain or arrest offenders, and enforce the law. DHS has partnered with them to provide security training for their law enforcement personnel, and is also examining the feasibility of providing the use of existing Homeland Security explosive detection canine teams to assist in special threat environments. The Federal Protective Service (FPS) is leading an effort to assess how readily explosives detection canine teams from various DHS agencies could be cross-trained for the rail and transit environments and made available for augmentation of local capabilities when needed. In addition, DHS is partnering with local authorities to provide additional training and assistance for local canine teams.

DHS has also partnered with the industry and stakeholders on other transportation security initiatives such as the Intercity Bus grant programs and our hazmat and pipeline initiatives. Through the Intercity Bus Security Grants Program, TSA has funded many projects to enhance the security of the Motorcoach industry. In 2003, TSA provided approximately $20 million in grants for improvements to security systems and equipment for over-the-road buses. Grant funding has been used to address a wide variety of security needs including driver protection, tracking and communications with over-the-road buses, passenger and baggage screening, security assessments and/or development of security plans, and training for transportation personnel to recognize and respond to criminal attacks and terrorist threats. Grants funds could also be used for physical security enhancements such as fencing, lighting, and surveillance equipment at locations where buses are parked and maintained. Due to the transfer of the Program to ODP, the two agencies will be working together in the award of the $10 million for the Intercity Bus Security Grants program for Fiscal year 2004.

TSA is also exploring the feasibility of using emerging technologies for screening passengers and carry-on items for explosives at rail stations and aboard trains. On May 30, TSA completed Phase I of this pilot program in New Carrollton, Maryland. The pilot, the Transit and Rail Inspection Pilot (TRIP), operated with extremely positive results. Passengers were overwhelmingly receptive to the screening process. Because screening passengers in the open rail environment is very different from the controlled-environment of the aviation sector, the pilot focused on testing the best means to adapt screening techniques for this environment. The overall results of the pilot indicate the ability of explosive detection equipment to function within the rail environment. TSA, in close coordination with DHS's Science and Technology Directorate (S&T) will continue to test and identify new technologies with an eye towards increasing the effectiveness of identifying explosives while minimizing process time. During Phase I, 8,835 passengers and 9,875 pieces of baggage were screened. Over 95% of passengers wanting access to the boarding platforms were screened.

The preliminary findings from this pilot indicate that screening passengers and their carry-on baggage in the commuter and intercity rail environment in a similar environment to that tested is possible. In addition, one of the main objectives of the pilot was to develop baseline standards for deploying the technology and protocol as needed. The preliminary findings support the premise that rail and transit operators might be able to deploy this type of targeted screening and protocols in similarly situated high threat areas, such as where specific intelligence indicates there is a need or in preparation for a special event or major public gathering.

On June 7, TSA implemented Phase II of the pilot, at Union Station, Washington, D.C., to assess the feasibility of using emerging technologies for screening checked and unclaimed baggage and cargo for explosives at rail stations. Phase II is being conducted in partnership with AMTRAK for a 23 day period and is expected to yield important data on customer wait times, screening effectiveness, cost, and impact on Amtrak operations.

Building on many of the security measures recommended for transit and passenger rail authorities, and the engagement of our Federal partners at DOT, the industry, and State and local authorities, on May 20, the Department issued Security Directives (SDs) requiring protective measures to strengthen our rail and transit system security. These Security Directives have been effective since May 23. The protective measures range from removing or replacing station trash cans to utilizing canine explosives detection teams. The directives apply to all passenger rail owners/operators, including light rail systems, inter-city passenger rail systems such as Amtrak, commuter rail operations such as the Maryland Rail Commuter and Long Island Railroad, as well as subway systems nationwide. The Security Directives, administered by TSA, which build on the industry existing best practices, will enhance security across the Nation's rail systems. DHS will ensure compliance with these security measures.

Baseline standards such as the Rail Security Directives are just one component of the Administration's transit and rail security strategy. The Administration provided

overarching guidance on the security of surface transportation with Homeland Security Presidential Directive 7 (HSPD-7), which directs the establishment of "a national policy for Federal departments and agencies to identify and prioritize United States critical infrastructure and key resources and to protect them from terrorist attacks." DHS is responsible under HSPD-7 for developing a National Critical Infrastructure Protection Plan, which will be comprised of Sector Specific Plans (SSPs). The Transportation SSP, which is being developed in close coordination between TSA, DOT, and other stakeholders sets forth the roles and responsibilities of federal and private-sector transportation partners and stakeholders for transportation security and transportation infrastructure protection. DHS will build on the foundation of the SSP to develop modal security plans, including mass transit and rail, that will provide overall operational planning guidance on transit and rail security. Development of the Transportation and other SSPs, as well as the modal plans, is well underway and anticipated for completion by end of the year.

Anticipated for completion for summer travel, is a rail incident location system funded by TSA through Operation Respond Institute (Operation Respond) for the Northeast rail corridor (NEC) between Washington, DC and Boston, Massachusetts. TSA is working with Operation Respond to develop and deploy this enhanced Geospatial Information System (GIS) and overhead imagery system of the Amtrak-owned rail infrastructure between Washington, DC and Boston, MA. The NEC rail incident location system will include high-resolution overhead imagery and street mapping related to NEC rail landmarks, and will support local authorities, police, first responders, Amtrak, and commuter rail operators in locating and responding to emergencies and criminal/terrorist acts involving passenger trains, commuter rail trains, and structures. This effort is an expansion of other mapping/imagery projects funded by DOT through Operation Respond. The results of this initiative will be shared with DOT, Amtrak police, and select law enforcement and emergency response organizations.

Hazardous Materials Initiatives:

Enhancing hazardous materials security has been a critical component of DHS' efforts to protect our homeland. Since the terrorist attacks of September 11, 2001, the security of hazardous materials shipments has received enhanced scrutiny, specifically, the transport of chemicals classified as toxic by inhalation hazardous materials (TIH). Rising public safety concerns has centered on the effect of intentional release of TIH chemicals as they are transported through highly populated urban areas.

DHS and DOT have been working on various initiatives that support the development of a national risk-based plan to address the shipment of hazardous materials by rail and truck. For rail, DHS and DOT are focusing on the assessments of vulnerabilities of high threat urban areas where TIH are transported, improved tracking and monitoring equipment, identification of practical alternatives to placards on rail tank cars, new rail car design standards, and the development of hazardous materials security plans to improve the adequacy and effectiveness of industry security plans.

In July 2003, TSA hosted a workshop at the request of the Association of American Railroads. At this workshop, TSA brought together experts from the emergency response community, railroads, and government agencies to discuss placarding and security and safety issues related to hazardous materials shipments by rail. As a result of the workshop, TSA will initiate a study on alternatives to rail placarding this summer. The discussion of alternatives will reflect the need for emergency responders to have visible, full and immediate knowledge of the contents of these vehicles in the event of an incident or accident.

TSA led a multi-agency study on the rail transport of hazardous materials through the D.C. metropolitan area, which included a vulnerability assessment of the rail infrastructure. TSA is currently reviewing the findings and developing a risk mitigation strategy to reduce these risks. The multi-agency task force on this study is comprised of DHS (IAIP and TSA), FRA, the DOT's Research and Special Programs Administration (RSPA) and all affected stakeholders, including the local first responder community, local government, and railroad owners and users (VRE, Amtrak). An interagency working group will conduct similar reviews in two to three other high-threat urban areas before making a vulnerability assessment tool available to the Nation.

With preventive measures in place, the risk of terrorism is reduced, albeit not eliminated. TSA will continue to identify and re-evaluate threats and vulnerabilities and make decisions that both facilitate transportation and improve its security.

Thank you again for the opportunity to appear before you on this important topic. I look forward to answering any questions you may have.